



*JPAC* / *GRW*  
**FE 6128 (US)**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of )  
)  
**Luigi RESCONI et al.** )  
) **Art Unit: 1712**  
)  
Serial No. **10/571,403** )  
) **Examiner: Unknown**  
)  
Filed **March 10, 2006** )  
)  
)  
For **MULTISTEP PROCESS FOR** )  
**PREPARING HETEROPHASIC** )  
**PROPYLENE COPOLYMERS** )

Mail Stop Petitions  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

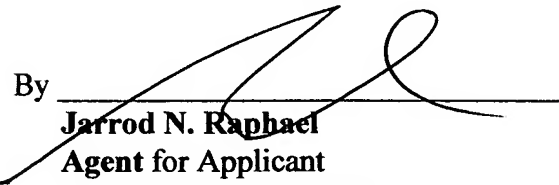
**TRANSMITTAL LETTER**

Submitted herewith for filing in the U.S. Patent and Trademark Office are the following:

- ☒ Transmittal Letter
- ☒ Petition Under 37 CFR 1.53 to Correct Official Filing Receipt (2 pages)
- ☒ Attachment A – copy of marked-up Official Filing Receipt (3 pages)
- ☒ Attachment B – copy of Assignment Cover Sheet (1 page)
- ☒ Attachment C – copy of express mailing airbill w/ acknow card (2 pages)
- ☒ Attachment D – copy of Response of November 8, 2006 w/ acknow card (3 pages)

Respectfully submitted,

**LUIGI RESCONI ET AL.**

By   
**Jarrod N. Raphael**  
**Agent for Applicant**  
**Registration No. 55,566**

Basell USA Inc.  
Delaware Corporate Center II  
2 Righter Parkway, Suite 300  
Wilmington, DE 19803  
Date: **January 22, 2008**

pet to correct FD-FE6128



FE 6128 (US)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of )

**Luigi RESCONI et al.** )

Serial No. **10/571,403** )

Filed **March 10, 2006** )

For **MULTISTEP PROCESS FOR** )  
**PREPARING HETEROPHASIC** )  
**PROPYLENE COPOLYMERS** )

) Art Unit: **1712**

) Examiner: **Unknown**

Mail Stop Petitions  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**PETITION UNDER 37 CFR 1.53 TO CORRECT OFFICIAL FILING RECEIPT**

Applicant respectfully believes the Filing Receipt with a mailing date of September 17, 2007 in connection with the above-captioned application contains the following errors:

**I. Assignment for Published Patent Application**

“GEORGIA” should be deleted and --**GERMANY**-- should be inserted instead.

**II. Filing or 371 (c) Date should be “03/10/2006” instead of “11/13/2006”.**

A copy of the Filing Receipt, marked up accordingly, is submitted herein as Attachment A.

First and foremost, Applicant respectfully believes the typing of “Georgia” instead of “Germany” under the Assignment data was a typographical error on the part of the Patent Office. A copy of the Assignment Cover Sheet evidencing “Germany” as the location of the Assignee is submitted herein as Attachment B.

Additionally, Applicant respectfully submits the above-captioned application was filed at the USPTO with all of the 35 U.S.C. §371 requirements on **March 10, 2006**. A copy of (i) the express mailing airbill, which was mailed with the application and respective filing papers, and (ii) the duly stamped receipt acknowledgement card are submitted herein as Attachment C.

01/28/2008 SSITHB1 00000037 082336 10571403

01 FC:1464 130.00 DA

Thereafter, a Notification of Missing Requirements Under 35 U.S.C. §371 was mailed on August 28, 2006, the merits of which were traversed in Applicant's reply of November 8, 2006. A copy of the response and stamped acknowledgement card is submitted herein as Attachment D.

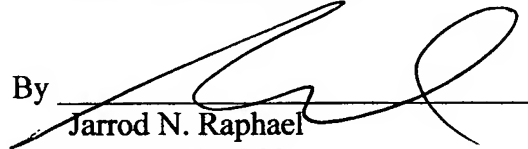
Accordingly, Applicant respectfully requests the Assignment data be corrected accordingly, and the filing date of the above-captioned application be corrected to **March 10, 2006**. Additionally, Applicant respectfully requests the Patent Office to issue a Corrected Official Filing Receipt for the instant application.

Applicant duly authorizes the Petition fee of \$130.00 to be charged to Deposit Account No. 08-2336. For this reason, this Petition is submitted in duplicate. However, since Applicant respectfully believes the aforementioned errors are not due to the fault of Applicant, Applicant courteously requests the Petition fee of \$130.00 to be refunded to Deposit Account No. 08-2336. The Commissioner is hereby authorized to debit or credit any payment due or any overpayment to Deposit Account No. 08-2336.

Respectfully submitted,

**LUIGI RESCONI ET AL.**

By

  
Jarrod N. Raphael  
Reg. No. 55,566  
Agent for Applicants

Basell USA Inc.  
Delaware Corporate Center II  
2 Righter Parkway, Suite 300  
Wilmington, DE 19803

January 22, 2008

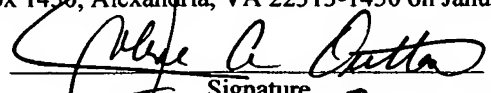
Attachments

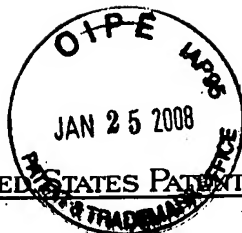
Agent's Telephone No.: 302-683-8176

Agent's Facsimile No.: 302-731-6408

Agent's E-mail: [jarrod.raphael@lyondellbasell.com](mailto:jarrod.raphael@lyondellbasell.com)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Petitions, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on January 23, 2008.

  
Signature  
January 23 2008  
Date



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

ATTACHMENT A

APPL NO.	FILING OR 371(c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLMS	IND CLMS
10/571,403	<del>11/13/2006</del> 03/10/06	1712	1130	IFE 6128 (US)	22	1

34872  
 BASELL USA INC.  
 INTELLECTUAL PROPERTY  
 912 APPLETON ROAD  
 ELKTON, MD 21921

Received Basell

SEP 19 2007

IP / Law

CONFIRMATION NO. 6685

## FILING RECEIPT



\*OC000000025845219\*

Date Mailed: 09/17/2007

Receipt is acknowledged of this nonprovisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Luigi Resconi, Ferrara, ITALY;  
 Anteo Pelliconi, Occhiobello-Rovigo, ITALY;  
 Paolo Ferrari, Ferrara, ITALY;

## Assignment For Published Patent Application

Baseball Polyolefine GmbH, Wesseling, ~~GEORGIA~~

Germany

Power of Attorney: The patent practitioners associated with Customer Number 34872.

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP04/08761 08/04/2004  
 which claims benefit of 60/503,283 09/16/2003

## Foreign Applications

EUROPEAN PATENT OFFICE (EPO) 03102735.2 09/11/2003

If Required, Foreign Filing License Granted: 09/14/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/571,403**

Projected Publication Date: 12/27/2007

**Non-Publication Request:** No

**Early Publication Request:** No

**Title**

Multistep Process For Preparing Heterophasic Propylene Copolymers

**Preliminary Class**

525

## **PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where

the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



03-22-2006



80/571403  
20 Received 10 MAR 2006  
FE 6128 (US)

ATTACHMENT B

To the Honorable Commissioner for \_\_\_\_\_ 103202016  
Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): Luigi Resconi  
Anteo Pelliconi  
Paolo Ferrari
2. Name and address of receiving party: Basell Polyolefine GmbH  
Brühler Strasse 60  
Wesseling  
DE 50389, Germany
3. Nature of conveyance: ASSIGNMENT  
Execution Date: February 20, 2006
4. Application number(s) or patent number(s):  
If this document is being filed together with a new application, the execution date of the application is: March 10, 2006  
A. Patent Application No(s):  
B. Patent No(s):
5. Name and address of party to whom correspondence concerning document should be mailed:  
Jarrod N. Raphael  
Basell USA Inc.  
Intellectual Property  
912 Appleton Road  
Elkton, MD 21921
6. Total number of applications and patents involved: One
7. Total fee: \$40.00  
Authorized to be charged to deposit account
8. Deposit account number: 08-2336
9. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

03/20/2006 GFREY1 00000039 082336 10571403  
05 FC:8021 40.00 DA

Signature

*Janice Zink*

Janice Zink

Date

March 10, 2006

Total number of pages including cover sheet, attachments and document: 4



ATTACHMENT C



E0 024623699 US

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PHONE ( )

J. Zink  
Basell USA Inc. IP  
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Elkton MD 21921

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Mo. Day		
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Alexandria VA

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TO date stamp hereon is in acknowledgment that on this date PTO received:

TRANSMITTAL LETTER  
FORM PTO-1390 (in duplicate)  
APPLICATION DATA SHEET (3 pages)  
PRELIMINARY AMENDMENT (2 pages)  
ATTACHMENT A - CLAIMS (7 pages)  
COPY OF PCT REQUEST (6 pages)  
COPY OF INTERNATIONAL APPLN (24 Res)  
ASSIGNMENT COVER SHEET (1 page)  
COPY OF ASSIGNMENT (3 pages)

10/571403  
Received Basell

in reference to U.S. Patent Application of Luigi Resconi et al. filed  
this 10<sup>th</sup> day of March 2006, entitled MULTISTEP PROCESS FOR PREPARING  
HETEROPHASIC PROPYLENE COPOLYMERS

MAR 7 2006

IP / Law

Atty Dkt No: FE 6128 (US)

EARLY NOTIFICATION OF SERIAL NUMBER REQUESTED

IAP7 Rec'd PCT/PTO 10 MAR 2006

ATTACHMENT D

The PTO date stamp hereon is in acknowledgment that on this date PTO received:

**TRANSMITTAL LETTER**  
**PETITION FOR EXTENSION OF TIME (in duplicate)**  
**LETTER TRANSMITTING MISSING REQ.**  
**COPY OF FORM PCT/DO/EO/905**  
**COPY OF PCT REQUEST WITH DECLARATION (6 pages)**

in reference to U.S. Patent Application of **Luigi RESCONI et al.**, S.N.  
**10/571,403**, filed **March 10, 2006**.

Atty Dkt No: **FE 6128 (US)**





**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of )  
)  
**Luigi RESCONI et al.** )  
)  
Serial No. 10/571,403 )  
)  
Filed: **March 10, 2006** )  
)  
For **MULTISTEP PROCESS FOR PREPARING** )  
**HETEROPHASIC PROPYLENE** )  
**COPOLYMERS** )

Mail Stop Missing Parts  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**LETTER TRANSMITTING MISSING REQUIREMENTS UNDER 35 USC 371**

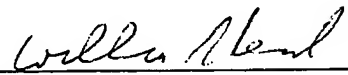
In reference to the Notification of Missing Requirements Under 35 USC 371 in the United States Designated/Elected Office, mailed August 28, 2006, and the statement that the Oath or Declaration does not comply with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date, please note the papers filed for this application on March 10, 2006, included a copy of the PCT Request, which included the completed Declaration in Box No. VIII (iv) as well as the signature of the inventors named in Box No. X. Furthermore, the identification of the International application number and filing date were indicated on page 1 of the PCT Request form. We enclose a copy of the PCT Request filed on March 10, 2006, herein.

Accordingly, no fee under 37 CFR 1.492(h) is believed to be due with this response given Applicant previously filed a Declaration with the PCT Request. However, if a fee is due, please charge Deposit Account No. 08-2336.

A Petition for Extension of Time accompanies this communication.

Respectfully submitted,

**LUIGI RESCONI ET AL.**

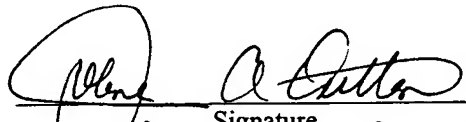
By   
William R. Reid  
Registration No. 47,894  
Attorney for Applicant

Basell USA Inc.  
912 Appleton Road  
Elkton, Maryland 21921

November 7, 2006

Attorney's Telephone No.: 410-996-1783  
Attorney's Facsimile No.: 410-996-1560  
Attorney's E-mail: [william.reid@basell.com](mailto:william.reid@basell.com)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on November 8, 2006.

 Signature  
November 8 2006 Date